

TEMPORARY HIGHWAY EASEMENT GRANT
(GENERAL)

Form T-3
Revised 12/2021

Project:	<u>1401280</u>
Code:	<u>N/A</u>
Parcel:	<u>21 & 21A</u>
Page:	<u>1 of 3</u>

THIS INDENTURE WITNESSETH, That Soleado Vista Homeowners' Association, Inc., an Indiana non-profit corporation, the Grantor(s) of Tippecanoe County, State of Indiana Grant(s) to The Board of Commissioners of Tippecanoe County in the State of Indiana, the Grantee, for and in consideration of the sum of One thousand and 00/100 Dollars (\$1,000.00) (of which said sum \$0.00 represents land improvements acquired and \$1,000.00 represents land temporarily encumbered and damages) and other valuable consideration, the receipt of which is hereby acknowledged, a temporary easement to enter upon and have possession of the Real Estate of the Grantor(s) for the purpose of grading, which said work is incidental to the construction of the highway facility known as Morehouse Road and as Project 1401280, which said Real Estate situated in the County of Tippecanoe, State of Indiana, and which is more particularly described in the legal description(s) attached hereto as Exhibit "A" which is incorporated herein by reference, which said temporary easement shall be extinguished, become void and revert to the Grantor(s) and/or the Grantor(s) successor(s) in title upon completion of the said Project. Said extinguishment shall be evidenced by a release document, which shall be executed and recorded by the Grantee, at no cost to the Grantor(s).

Interests in land acquired by The Board of
Commissioners of Tippecanoe County, IN
Grantee mailing address:
20 N. 3rd Street
1st Floor
Lafayette, IN 47901

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The undersigned represents and warrants that he is a duly elected officer of the Grantor; that the Grantor is a corporation validly existing in the State of its origin and, where required, in the State where the subject real estate is situated; that the Grantor has full corporate capacity to convey the real estate interest described; that pursuant to resolution of the board of directors or shareholders of the Grantor or the by-laws of the Grantor he has full authority to execute and deliver this instrument on its behalf and that said authority has not been revoked; that she is therefore, fully authorized and empowered to convey to The Board of Commissioners of Tippecanoe County in the State of Indiana real estate of the Grantor, and that on the date of execution of said conveyance instruments he had full authority to so act; and that all necessary corporate action for the making of this conveyance has been duly taken.

Any and all timber, shrubbery, fences, buildings and any other improvements situated within the area of the temporary easement granted herein shall become the property of The Board of Commissioners of Tippecanoe County in the State of Indiana except: NONE

The said Grantor(s) acknowledge(s) that all provisions of this grant of temporary easement are as stated and set forth herein and that no verbal agreements or promises exist with respect thereto.

This temporary conveyance is subject to any and all easements, conditions and restrictions of record. However, the said Grantor(s), for the purpose of inducing The Board of Commissioners of Tippecanoe County in the State of Indiana to accept this grant and to pay the hereinbefore referenced consideration, represent(s) that the Grantor(s) is the owner(s) in fee simple of the Real Estate and that there exist no encumbrances, conditions, restrictions, leases, liens (except current real estate taxes and assessments) of any kind or character which would be inconsistent with the temporary rights granted herein.

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IN WITNESS WHEREOF, the said Grantor(s) has executed this instrument this 10 day of MAY, 2022.

Soleado Vista Homeowners' Association, Inc., an Indiana non-profit corporation

By Jim Schweitzer (Seal) Signature (Seal) Signature

Jim Schweitzer, President Printed Name Printed Name

(Seal) Signature (Seal) Signature

Printed Name Printed Name

STATE OF INDIANA:

SS:

COUNTY OF TIPPECANOE:

Before me, a Notary Public in and for said State and County, personally appeared Jim Schweitzer, President of Soleado Vista Homeowners' Association, Inc., an Indiana non-profit corporation, the Grantor(s) in the above conveyance, and acknowledged the execution of the same on the date aforesaid to be her voluntary act and deed and who, being duly sworn, stated that any representations contained therein are true.

Witness my hand and Notarial Seal this 10 day of MAY, 2022.

Signature Clifton Dickerson

Printed Name _____

My Commission expires _____

I am a resident of _____ County.



CLIFTON DICKERSON, Notary Public
Allen County, State of Indiana
My Commission Expires August 27, 2023
Commission No. 671065

This instrument prepared by: Douglas J. Masson #19474-53, Attorney, Hoffman, Luhman, & Masson Attorneys at Law, 200 Ferry Street, Ste. C, Lafayette, IN 47901

I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security number in this document, unless otherwise required by law. Douglas J. Masson

EXHIBIT "A"

Project: 1401280
Parcel 21 Temporary Right of Way For Grading
Form T-3

Sheet 1 of 2

A part of Outlots A and B as shown on the Plat of Soleado Vista Subdivision - Phase One, the plat of which is recorded in Document 201515022910 (Plat Book 9 Page 169), in the Office of the Recorder of Tippecanoe County, Indiana, described as follows: Commencing at the southwest corner of said Outlot A; thence North 01 degree 45 minutes 49 seconds East 54.23 feet along the west line of said Outlot A to the Point of Beginning of this description; thence continuing along said west line North 01 degree 45 minutes 49 seconds East 109.00 feet; thence South 88 degrees 14 minutes 11 seconds East 14.00 feet; thence South 01 degree 45 minutes 49 seconds West 109.00 feet; thence North 88 degrees 14 minutes 11 seconds West 14.00 feet to said west line and the Point of Beginning, and containing 1,526 square feet, more or less.

This description was prepared for the Board of Commissioners of Tippecanoe County by DLZ Indiana, LLC and certified by Alan Brent Cleveland, Indiana Registered Professional Surveyor, License No. LS80880007, on the 25th Day of June, 2020.



Alan Brent Cleveland, P.S.
Indiana Registered Professional Surveyor No. LS80880007



EXHIBIT "A"

Project: 1401280
Parcel 21A Temporary Right of Way For Grading
Form T-3

Sheet 2 of 2

A part of Outlot B as shown on the Plat of Soleado Vista Subdivision - Phase One, the plat of which is recorded in Document 201515022910 (Plat Book 9 Page 169), in the Office of the Recorder of Tippecanoe County, Indiana, described as follows: Beginning at the northwest corner of said Outlot; thence South 01 degree 45 minutes 49 seconds West 10.04 feet along the west line of said Outlot; thence South 88 degrees 14 minutes 11 seconds East 4.00 feet; thence North 01 degree 45 minutes 49 seconds East 10.17 feet to the north line of said Outlot; thence South 89 degrees 54 minutes 50 seconds West 4.00 feet along said north line to the Point of Beginning, and containing 40 square feet, more or less.

This description was prepared for the Board of Commissioners of Tippecanoe County by DLZ Indiana, LLC and certified by Alan Brent Cleveland, Indiana Registered Professional Surveyor, License No. LS80880007, on the 25th Day of June, 2020.



Alan Brent Cleveland, P.S
Indiana Registered Professional Surveyor No. LS80880007



The attached **Temporary Easement Grant – Parcel 21 & 21A (Morehouse Rd. Project)** is approved and accepted on behalf of the Board of Commissioners of the County of Tippecanoe in the State of Indiana, on this 6 day of June, 2022.

Davis S. Byers, President

Tracy A. Brown, Vice President

Thomas P. Murtaugh, Member

Constituting the Board of Commissioners of the County of Tippecanoe, in the State of Indiana.

Attest: _____
Robert A. Plantenga, Auditor